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News Corporation

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SANDRA GUZMAN,	:
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	:
Plaintiff,	:
	:
	:
vs.	:
	:
NEWS CORPORATION, NYP HOLDINGS,	:
INC., d/b/a/ THE NEW YORK POST,	:
and COL ALLAN, in his official and individual	:
capacities,	:
	:
Defendants.	:
-----X	

Civil Action No.: 09 CV 9323 (LGS)

**DECLARATION OF MARK W. LERNER, ESQ.**

MARK W. LERNER, ESQ., hereby declares as follows:

1. I am a partner with the firm of Kasowitz, Benson, Torres & Friedman LLP, counsel for Defendant News Corporation (“Defendant” or “News Corp.”). I have personal knowledge of the facts set forth herein, except where otherwise indicated. I submit this Declaration in support of Defendant News Corp.’s Motion for Summary Judgment in the above-captioned action.

2. Pursuant to Rule III.B.3 of the Individual Rules of Practices of United States District Judge Lorna G. Schofield, Exhibits have been excerpted to include only relevant material.

3. Attached hereto as Exhibit 1 are true and correct copies of referenced pages from the transcript of the deposition of Jordan Lippner, taken February 29, 2012.

4. Attached hereto as Exhibit 2 are true and correct copies of referenced pages from the transcript of the deposition of Amy Scialdone, taken June 28, 2012.

5. Attached hereto as Exhibit 3 is a true and correct copy of excerpts of the Post's employee handbook, entitled, "Standards of Business Conduct," previously produced in this matter with the Bates Nos. NYP-00058 through NYP-00076.

6. Attached hereto as Exhibit 4 are true and correct copies of referenced pages from the transcript of the deposition of Jennifer Jehn, taken June 26, 2012 and February 14, 2013.

7. Attached hereto as Exhibit 5 are true and correct copies of referenced pages from the transcript of the deposition of Paul Carlucci, taken June 22, 2012.

8. Attached hereto as Exhibit 6 are true and correct copies of referenced pages from the transcript of the deposition of Defendant Col Allan, taken February 14, 2012 and February 21, 2013.

9. Attached hereto as Exhibit 7 are true and correct copies of referenced pages from the transcript of the deposition of Jesse Angelo, taken April 25, 2012.

10. Attached hereto as Exhibit 8 are true and correct copies of referenced pages from the transcript of the deposition of Les Goodstein, taken June 15, 2012.

11. Attached hereto as Exhibit 9 is a true and correct copy of excerpts of News Corp.'s Objections and Responses to Plaintiff's First Set of Interrogatories, dated June 24, 2010.

12. Attached hereto as Exhibit 10 is a true and correct copy of excerpts of NYP Holdings, Inc., d/b/a the New York Post's Objections and Responses to Plaintiff's First Set of Interrogatories, dated June 24, 2010.

13. Attached hereto as Exhibit 11 are true and correct copies of referenced pages from the transcript of the deposition of Plaintiff Sandra Guzman, taken October 13, 2011 and February 13, 2012.

14. Attached hereto as Exhibit 12 is a true and correct copy of excerpts of the employment agreement entered into by and between plaintiff Sandra Guzman and the Post, dated July 11, 2003, previously produced in this matter with the Bates Nos. NYP-506 through NYP-512.

15. Attached hereto as Exhibit 13 is a true and correct copy of records of salary payments by the Post to Guzman, produced by Plaintiff and bearing the Bates Nos. SG\_1023 through SG\_1036.

16. Attached hereto as Exhibit 14 are true and correct copies of referenced pages from the transcript of the deposition of Joseph Robinowitz, taken June 14, 2012.

17. Attached hereto as Exhibit 15 is a true and correct redacted copy of Les Goodstein's employment agreement with News America Incorporated, dated October 31, 2008 and produced in this matter bearing the Bates Nos. NYP-004437 through NYP-004438.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 10, 2013.

/s/ Mark W. Lerner  
Mark W. Lerner